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October 17, 2016

**VIA ECF**

Hon. Jesse M. Furman  
United States District Court  
Southern District of New York  
40 Centre Street, Room 2202  
New York, New York 10007

Re: *Chefs Diet Acquisition Corp. v. Lean Chefs, LLC, et al.*, No. 14-CV-8467 (JMF)

Dear Judge Furman:

We represent the Plaintiff in this matter. This letter is a joint letter from all parties. Plaintiff's and Defendants' counsel have conferred in connection with the preparation of the Joint Pretrial Order and submissions currently due to the Court on October 28, 2016 (30 days from the Court's September 28, 2016 order). On account of work and personal obligations of counsel for both parties detailed below, and to provide counsel a reasonable amount of time to prepare the evidence and witnesses, including likely over half a dozen live fact witnesses and expert witnesses for trial in this matter, the parties respectfully jointly request a 30 day extension (which includes the holiday week of thanksgiving), until November 28, 2016, for the submission to the Court of the Joint Pretrial Order and submissions.

Defendants' lead trial counsel in this matter, Darius Keyhani, will be preparing for and be arguing an appeal before the Federal Circuit Court of Appeals the last week of October and the first week of November. The oral argument is scheduled for November 2, 2016. Further, Mr. Keyhani has pre-existing discovery and legal obligations in matters in other pending cases including completing depositions in a case involving witnesses outside the United States over the next thirty days for which Mr. Keyhani will be conducting the depositions himself and cannot be rescheduled.

Plaintiffs lead trial counsel, Martin Siegel, will be preparing Opposition in another significant matter, to Motions to Dismiss, for Sanctions and to Disqualify his law firm, all of which are due on November 2, 2016. However, Mr. Siegel's daughter is scheduled to give birth to her second son on October 30, 2016, and Mr. Siegel is already committed to care for her 20

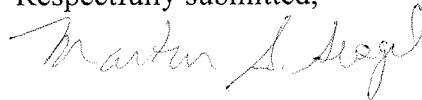
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month old son beginning October 29 through November 2 while his daughter is in the hospital. Therefore, as a practical matter, Mr. Siegel's opposition to those Motions has to be completed on October 29, 2016. Further, Mr. Siegel has preexisting discovery and legal obligations in other pending cases over the next thirty days that cannot be rescheduled.

No prior requests for extension of the time for submission of the joint pre-trial order have been made. Accordingly, the parties respectfully request that the Court grant the parties a one-time thirty day extension to the deadline for the submissions and as the Court has directed, the parties will be prepared for trial after two weeks of these submission. However, in that connection, Mr. Siegel already is scheduled to be on trial on another matter before the American Arbitration Association on December 2-14, 2016, and January 17-20, 2017, and respectfully requests that trial in this case not be scheduled at the same time as his other trial.

Respectfully submitted,



Martin S. Siegel

cc: Darius Keyhani, Esq. (via e-mail and ECF)  
Frances Stephenson, Esq. (via e-mail and ECF)